

Remarks

Claims 1-5 and 7-12 are new pending in this application. Applicant has amended claims 1, 2, and 5, added claims 9-12 and cancelled claim 6 to clarify the present invention.

The Examiner rejected claims 1-8 under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 5,047,994 to Lenhardt et al.

Lenhardt et al. does not disclose the present invention as recited in claim 1 since, among other things, Lenhardt et al. does not disclose a device for treating stuttering that includes a bone conducting hearing aid apparatus configured to carry out signal processing to amplify and feed back to the user a voice of the user and not amplify and feed back to the user sound from surrounding sources. Rather, Lenhardt et al. discloses a standard bone conducting hearing aid that amplifies all ambient sound. The present invention as recited in claim 1 can process incoming sound in a manner that only transmits to a user sound that can reduce stuttering. On the other hand, Lenhardt et al. discloses a hearing aid for treating deteriorating hearing resulting from old age. As such, Lenhardt et al. transmits all ambient sounds to the user. Lenhardt et al. emphasizes how the device can aid users to locate sounds by judging speed, distance, and direction. On the other hand, the present invention as recited in claim 1 processes sound to transmit a users voice to the users without surrounding sounds. It follows that Lenhardt et al. does not disclose the present invention as recited in newly presented independent claim 12, which recites a method of treating stuttering that includes receiving sound with a bone conducting hearing aid apparatus attached to a skull bone of a user, processing the sound to

amplify the sound and feed back to the user the voice of the user without amplifying and feeding back to the user sound from surrounding sources, and mechanically transmitting the processed sound to both inner ears of the user via the skull bone with a tactile component including a vibrator.

In view of the above, Lenhardt et al. does not disclose all elements of the present invention as recited in claims 1-5 and 7-12. Since Lenhardt et al. does not disclose all elements of the present invention as recited in claims 1-5 and 7-12, the present invention, as recited in claims 1-5 and 7-12, is not properly rejected under 35 U.S.C. § 102(b). For an anticipation rejection under 35 U.S.C. § 102(b) no difference may exist between the claimed invention and the reference disclosure. *See Scripps Clinic and Research Foundation v. Genentech, Inc.*, 18 U.S.P.Q. 841 (C.A.F.C. 1984).

Along these lines, anticipation requires the disclosure, in a cited reference, of each and every recitation, as set forth in the claims. *See Hodosh v. Block Drug Co.*, 229 U.S.P.Q. 182 (Fed. Cir. 1986); *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985); *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986); and *Akzo N.V. v. U.S. International Trade Commissioner*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986).

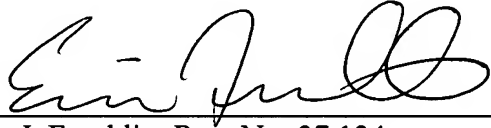
In view of the above, the reference relied upon in the office action does not disclose patentable features of the present invention. Therefore, the reference relied upon in the office action does not anticipate the present invention. Accordingly, Applicant respectfully requests withdrawal of the rejection based upon the cited reference.

If an interview would advance the prosecution of this application, Applicant respectfully urges the Examiner to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge fee insufficiency and credit overpayment associated with this communication to Deposit Account No. 22-0261.

Respectfully submitted,

Date: 6/20/07


Eric J. Franklin, Reg. No. 37,134
Attorney for Applicant
Venable LLP
575 Seventh Street, NW
Washington, DC 20004
Telephone: 202-344-4936
Facsimile: 202-344-8300